

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

REBECCA MARTINEZ,

Plaintiff,

vs.

Civ. No. 12-660 KG/WPL

SOUTHWEST CHEESE COMPANY, L.L.C.,

Defendant.

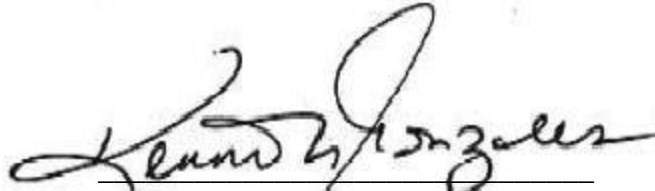
ORDER GRANTING PARTIAL SUMMARY JUDGMENT  
AND DISMISSING CERTAIN CLAIMS

Having granted, in part, Defendant Southwest Cheese Company's Motion for Summary Judgment (Doc. 38) by a Memorandum Opinion and Order (Doc. 82) entered contemporaneously with this Order Granting Partial Summary Judgment and Dismissing Certain Claims,

IT IS ORDERED that:

1. any hostile work environment claims based on foul language are dismissed without prejudice;
2. summary judgment is entered in SWC's favor on the remaining New Mexico Human Rights Act (NMHRA) and Title VII hostile work environment claims;
3. those NMHRA and Title VII hostile work environment claims are dismissed with prejudice;
4. summary judgment is granted in SWC's favor on constructive discharge claims brought under Title VII, 42 U.S.C. § 1981, the Age Discrimination in Employment Act, and the breach of contract claim; and

5. those constructive discharge claims are dismissed with prejudice.



UNITED STATES DISTRICT JUDGE